IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 26559 of 2003

Between:

M.Surya Kumari, D/o Venkataratnam,aged about 46 years,
Saint Ans Telugu Medium Aided U.P.School, Nidadavolu, West Godavari District.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, rep.by its Secretary, Education Department, Secretariat, Hyderabad.
2 The Commissioner and Director of School Education, Hyderabad.
3 The District Educational Officer, West Godavari District.
4 The Audit Officer, District Local Fund Audit,
West Godavari District.
5 The Correspondent, Saint Ans Telugu Medium Aided U.P.School, Nidadavolu, West Godavari District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not extending the benefit of G.O.Ms.No.330, dated 10-08-1983 as illegal, improper, unjust and arbitrary and in clear discrimination and further direct the respondents to extend the benefit of G.O.Ms.No.330, dated 10-08-1983 as per the judgment in W.P.No.26260 of 2000 dated 12-09-2003 & batch without reference to the cut off date forthwith with all consequential benefits including monetary and seniority.

Counsel for the Petitioner:MR.G.SEENA KUMAR

Counsel for the Respondents 1 to 3 : GP FOR SCHOOL EDUCATION

The Court made the following :

ORDER:

The petitioner has filed Wirt Petition alleging that she was initially appointed as Grade II Telugu Pandit on 13-7-1983 and acquired qualification of pandit training. She also possessed Gr.I qualification . Therefore, she is entitled for the benefit of G.O.Ms.No.330 dated 10-8-1983, from the date of appointment or from the date of acquiring qualifications whichever is later.

It is also further contended by both the counsel appearing for respective parties that the rest of the matter is squarely covered by the judgment of the Division Bench of this Court in W.P.No.26260 of 2000 and batch dated 12-09-2003.

The learned counsel appearing for the respondents argued that the matter has been carried to the Hon'ble Supreme Court,and it is pending for admission . As long as the judgment of Division Bench is not stayed or suspended, I am bound to follow the said judgment.

Accordingly the Writ Petition is disposed of in terms of Judgment in W.P.No. 26260 of 2000 and batch dated 12-09-2003. No order as to costs.

V.Eswaraiah,J

Stp/ys

22nd July,2004.

Sd/-

Assistant Registrar

//True copy//

To:

1 The Government of Andhra Pradesh, rep.by its Secretary, Education Department, Secretariat, Hyderabad.

2 The Commissioner and Director of School Education, Hyderabad.
3 The District Educational Officer, West Godavari District.
4 The Audit Officer, District Local Fund Audit,
West Godavari District.
5 CCs to G.P.for Education

6. 2 CDs

THE HON'BLE MR JUSTICE V.ESWARAIAH

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22nd July,2004.